

**Town of Pelham, NH  
Pelham Conservation Commission  
6 Village Green  
Pelham, NH 03076-3723**

**MEETING OF 12/09/20**

**Members Present**

Karen Mackay, Paul Gagnon,  
Al Steward (alt), Lisa Loosigian  
Ken Stanvick, Louise Delehanty,  
Brandie Shydo, Mike Gendreau

**APPROVED 01/13/21**

**Members Absent:**

Kara Kubit (alt), Dennis Hogan (alt)

This meeting was held entirely on Zoom. Paul Gagnon brought the meeting to order at 7:03 p.m. Mr. Gagnon began by reading a lengthy introduction into the record which described how to conduct meetings according to the Covid-19 pandemic emergency. The emergency procedures have been authorized by Governor Sununu. See attachment # 1 for a copy of the meeting rules for right to know compliance during the pandemic. All votes during this meeting will be roll call votes. All members are alone in the room in which they are participating in this meeting. Ms. Delehanty initially had difficulty joining the meeting, but the technical issues were worked out and she joined a few minutes late.

**PRESENTATION:**

SaveHudsonNH.org will present an overview and information concerning the proposed Hudson Logistics Center, a project with regional impacts. Presentation by Dean Sakati

SaveHudsonNH.org is a grass roots organization formed to inform the public and advocate against the Hudson Logistics Center. Members of SaveHudsonNH.org were concerned that during the pandemic, residents would not hear about this project and what it entails. The group formed a website to express concerns and send out information. They want to work with the community to ask and answer questions. In addition, they have been reaching out to Conservation Commissions and Selectmen's offices in neighboring towns. The group is an advocacy group that is trying to disseminate facts and present their own opinions about the project. They specifically tell interested parties what information are facts and what information are opinions. The group has formed a GoFundMe page to raise money to advertise and hire professional help. They have hired Amy Manzelli of BCM Environmental and Land Law to review the case.

The Logistics Center has proposed to build 3 massive warehouse facilities totaling approximately 2.5 million square feet on the property of the Green Meadow Golf Course. The golf course is 36 holes and contains 2 championship courses. The proposed buildings would be approximately 2 ½ times the size of the Pheasant Lane Mall. The buildings would include 363 docks and 842 truck

stalls. The property is sandwiched between the Merrimack River to the west and Lowell Road to the east. The northern boundary of the property is the bridge that is part of the exit ramp off route 3. The property is approximately 400 acres with 220 buildable acres outside wetlands and the flood plain. The Logistics Center has proposed to use the entirety of the buildable land. Hillwood has proposed to build this facility for Amazon. Amazon is proposing to use buildings A and B. Building C has not been defined for a use at this time.

This facility is described as a cross-docking distribution center which means goods will be brought in on one side of the facility then shipped out on the other side of the facility with little to no storage time in the facility. Items will arrive in bulk on tractor-trailers and quickly be sent out to individual customers.

The facility will be enormous with enormous capacity. The concerns of SaveHudsonNH.org include environmental and traffic. The developer estimates 250 vehicles per day coming in and out. This means there will be 500 trips a day between arrivals and departures. The facility is expected to run 24 hours per day and 365 days per year. Amazon has said that at 250 trucks the facility will be running at 40 percent capacity. Mr. Sakati is skeptical that the facility will run at 40 percent and assumes there will be more trucks and more traffic than has been proposed.

This facility will increase the traffic in Hudson and the neighboring towns. Trucks may travel through neighboring towns as will many residents of Hudson in order to avoid traffic moving in and out of the facility.

SaveHudsonNH.org members are concerned about environmental impacts of the project. The Merrimack River borders the property. Diesel particulates, oils and airborne pollutants will increase in the area. The golf course is a permeable surface. The site will be transformed into a largely impermeable surface. Water will not be able to infiltrate the ground. Water will run off surfaces. Paved infrastructure will be treated with salts in the winter which will run off and could contaminate wetlands and surface waters as well as the Merrimack River. Everything that is not wetland on the site will be paved or have buildings. Each building will be approximately one-third of a mile long. The Merrimack River is an important natural resource.

Ms. Loosigian asked what the group is looking for from us. Mr. Sakati is just trying to provide outreach to neighboring towns that may be affected by the facility by increased traffic or environmental degradation. His group is opposed to the project and is looking for like-minded individuals and groups to join them in opposition. They have sent out mailers and flyers, started a blog and a GoFundMe page to help with costs associated with getting the word out about the project. Ms. Loosigian stated that salt is a huge issue for a project like this. She suggested they hammer on the effects of salts on the river and wetlands. She also suggested they be very careful and specific with words on their presentation because any mistakes can hurt their case.

Ms. Delehanty asked if the town could get some type of mitigation for the environmental impacts of the project. Mr. Sakati does not have any information on mitigation yet. The project is still in the Planning process. He said there is some support from Hudson businesses and others do not want to get involved in the politics of the development. Ms. Delehanty suggested the group reach out to the Governor or state Senators so they could get involved.

Ms. Mackay asked if the developer had purchased the land yet. She asked if the project had been to Planning, Conservation or had an environmental impact study (EIS) done yet. Their group should be attending all meetings about this project. Mr. Sakati said the developer had been having a meeting with Planning about once a month. Members have been attending meetings. The developer has met with Conservation a few times and is working on the EIS as far as he knows. A site walk has been conducted. Mr. Sakati would like to see more critical questioning of the applicant. Ms. Mackay said the project should be scrutinized because of the massive size and the potential impacts. They have about 900 residents that have signed petitions regarding the project. About 4,000 people in several towns have signed on to oppose the project. Ms. Mackay suggested they stay involved because even if they cannot stop the project they want it to be the best it can be.

Mr. Stanvick said that developers often know the rules inside and out and can use the rules to their own advantage. Emotional pleas will not go too far. Rules need to be changed so that town residents have the advantages rather than developers.

Mr. Gagnon stated that the project is a challenge because of the millions of dollars the facility could create in revenue. Mr. Gagnon said Mr. Gowan is keeping track of the project. Mr. Gagnon thanked Mr. Sakati for informing us of the project and invited him back to update us in about 3 months.

#### **PUBLIC HEARING 7:15 p. m.:**

Map 27 Lot 2-81	Tower Hill Road – Discussion of a proposed purchase of 61 acres of a 63 acre lot to be used as conservation land. Two acres of the parcel will remain with the land owner along with the areas subject to a cell phone tower lease and easement – Presentation by Paul Gagnon
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This parcel has 400 feet of frontage on the corner of Bush Hill Road and Mammoth Road. The land owner has proposed to subdivide 2 acres that abuts the main roads and also subdivide off the areas subject to the cell phone tower and the road easement to the tower. The 2 acres will remain with the land owner. The tower and tower road will remain with the land owner, but when the cell tower is no longer in use the easement land will revert to the town with no further exchange of money. The land of the easement can never be used for any other purpose than telecommunications.

The tower road is a gravel road that is used to access the tower. The tower is located at the top of the hill on a 100x100 foot area. The land is beautiful with a large hill roughly centered on the property. The land slopes down to the north to Gumpas Pond and to the south to Tower Hill Road. Access to the property is off Tower Hill Road. The property abuts Gumpas Pond along the north-west property line.

The sale price for this property is \$655,000.00 which is about \$10,000.00 per acre. This is a little high for us. We like to spend around \$7,000.00 per acre, but we have spent as high as \$14,000.00 and as low as \$2,400.00. The property owner thinks the land may be larger than is described on the tax card and Mr. Gagnon agrees. They suspect there may be up to 80 acres of land on this

parcel as estimated on the Nashua Regional Planning Commission's calculator located on their website. At the present time, we can only go by the tax card. Mr. Gagnon has engaged Herbert Associates to survey the entire perimeter, subdivide off the 2 acres and the cell tower and road, and to acquire a Zoning Board waiver for the non-conforming lot that will be created by the subdivision of the cell tower and road. The Current Use Fund will be used to purchase this property. No bond money will be used.

Mr. Gagnon has been in talks with this land owner for 13 years. Mr. Gagnon filled out the Selection Criteria and Checklist for Open Space in 2007. The land is in excellent condition. The purchase would protect water resources, rural character, and wildlife habitat. The land can be used for educational purposes and forest management. The purchases will reduce housing units. The land owner's father raised cattle on this property. The forest is relatively young at about 50 years. There were no disqualifications for the purchase of this land.

Ms. Mackay commented that the land provides connectivity with open space to the north and south. Some of the open space is privately owned, but it is still open space and protects land. The lot to the north is owned by a group of people on the pond and can never be developed. That parcel was under agreement with us several years ago. The residents in the area wanted to buy it to keep it open and private. We backed out of the purchase agreement and they bought the land under the condition it could never be developed. Parcels to the south are privately owned, but cannot be developed either. Open space land provides connectivity even if the town does not own it.

Public Input:  
None.

Motion: (Stanvick/Delehanty) to recommend the purchase of this parcel to the Selectmen.  
Vote: 7-0 in favor. Roll call vote.

### **MINUTES:**

Mr. Gagnon appointed Mr. Steward to vote on the minutes.  
Motion: (Stanvick/Delehanty) to approve the minutes of August 12, 2020.  
Vote: 5-0-3 in favor. Roll call vote. Loosigian, Shydo and Gendreau abstained.

### **ADJOURNMENT:**

Motion: (Mackay/Shydo) to adjourn  
Vote: 7-0 in favor. Roll call vote.  
Adjourned 8:03 p.m.

Respectfully submitted,  
Karen Mackay,  
Recording Secretary

Attachment # 1

**A Checklist To Ensure Meetings Are Compliant With The Right-to-Know Law  
During The State Of Emergency**

**12/9/2020 Conservation Commission Meeting**

As Chair of the Conservation Commission, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this meeting. However, participants will participate remotely which was authorized pursuant to the Governor's Emergency Order. In accordance with the Emergency Order, I am confirming that we are:

*a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

We are utilizing Zoom for this electronic meeting.<sup>1</sup> All members of the Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and participate in this meeting by dialing the following phone number:

**646-876-9923   Meeting ID# 934 0654 8269   Passcode 749027**

or by entering this website address: [www.zoom.us](http://www.zoom.us) selecting **Join Meeting** and entering the meeting ID and password listed above.

**Please provide your first and last name to the attendant.**

*b) Providing public notice of the necessary information for accessing the meeting:*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the Town website: [www.pelhamweb.com](http://www.pelhamweb.com) on the Conservation Commission page.

*c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:*

If anybody has a problem, please call 603-508-3089 or email at: [jgreenwood@pelhamweb.com](mailto:jgreenwood@pelhamweb.com).

*d) Adjourning the meeting if the public is unable to access the meeting:*

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

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<sup>1</sup> Many public bodies are utilizing video conferencing technology, such as Zoom, to ensure the electronic meeting comply with the Right-to-Know law and any applicable due process requirements. In certain circumstances, a regular business meeting of a public body may be conducted utilizing audio-only technology. If you have any questions about the appropriateness of the technology utilized to conduct your meeting, please consult your agency counsel or the Attorney General's Office.